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August 29, 2019

Via ECF

Honorable Sandra Feuerstein
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Weitzman v. Long Beach City School District, et al.
Civil Action No.: 16-cv-3544

Dear Judge Feuerstein:

We represent Plaintiff in the above matter. As the Court is aware, this matter was closed on December 13, 2017, pending the issuance of a decision in a New York State Education Law § 3020-a proceeding. The deadline for re-opening the case was extended three times while we waited for a 3020-a decision to be issued. Another deadline to reopen, August 30, 2019, is now approaching.

The Opinion and Award in the New York State Education Law § 3020-a proceeding was rendered on March 31, 2019. Of the eight charges preferred against Plaintiff, five were dismissed. Petitioner appealed that portion of the Opinion sustaining the three remaining charges by petition on April 10, 2019, which was amended on June 7, 2019. Defendant The Long Beach City School District ("the District") moved to dismiss the amended petition. The motion is returnable on August 28, 2019. While the appeal is adjudicated in the state court, I am respectfully requesting an extension of the deadline to reopen this matter for at least six months to February 20, 2020. Defendants take no position on the request but submit that, if an adjournment is granted, it also apply to the related cases for which discovery has been consolidated with this instant matter. Plaintiff submits that she objected to consolidation of discovery at the time it was implemented, however, no discovery was conducted anyway as the matters were all stayed. Upon information and belief, the other matters were previously re-opened and discovery has commenced in those matters, however depositions of the consolidated witnesses and defendants have not yet taken place.

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Thank you for your courtesies.

Respectfully submitted,

/s/Debra L. Wabnik

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DLW/sh

cc: Gerald S. Smith, Esq.
Lewis Silverman, Esq.
Silverman & Associates
Via ECF